



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of the
Former Yugoslavia since 1991

Case No. IT-95-11-A
Date: 31 October 2007
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Fausto Pocar, President
Registrar: Mr. Hans Holthuis
Order of: 31 October 2007

PROSECUTOR

v.

MILAN MARTIĆ

PUBLIC

ORDER REINSTATING THE PRE-APPEAL JUDGE

The Office of the Prosecutor:

Ms. Michelle Jarvis

Counsel for the Appellant:

Mr. Predrag Milovančević
Mr. Nikola Perović

I, FAUSTO POCAR, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (“International Tribunal”), and Presiding Judge in the case of *Prosecutor v. Milan Martić*,¹

NOTING the “Order Assigning Judges to a Case Before the Appeals Chamber and Appointing a Pre-Appeal Judge” of 20 July 2007, by which I appointed Judge Wolfgang Schomburg as Pre-Appeal Judge in this case;

NOTING the “Motion to Disqualify Judge Wolfgang Schomburg from Sitting on Appeal” filed by Milan Martić on 17 August 2007 (“Motion for Disqualification”);

NOTING the “Order Appointing the Pre-Appeal Judge” of 10 October 2007, in which I appointed myself as Pre-Appeal Judge until the issuing of a decision on the Motion for Disqualification;

NOTING that on 23 October 2007, the Vice-President of the International Tribunal issued an “Order on Defence Motion to Disqualify Judge Wolfgang Schomburg from Sitting on Appeal” refusing the Motion for Disqualification;

CONSIDERING Rule 65ter, read together with Rule 107 of the Rules of Procedure and Evidence of the International Tribunal;

HEREBY REINSTATE, with immediate effect, Judge Wolfgang Schomburg as Pre-Appeal Judge.

Done in English and French, the English version being authoritative.

Done this 31st day of October 2007,
At The Hague,
The Netherlands.

Judge Fausto Pocar
President

[Seal of the International Tribunal]

¹ Case No. IT-95-11-A.